THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.142 of 1998

Date: 05.04.2007

Between:

M. Mastan Rao

... Petitioner

AND

The Govt., of A.P. rep., by its Secretary,
Municipal Administration & Urban Development
Authority, Secretariat, Hyderabad
& others.

... Respondents

Counsel for the petitioner : Sri Mogalla Srinivas for
Sri V. Ravi Kiran Rao

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.142 of 1998

ORDER:-

This writ petition is filed by the petitioner for a writ of Mandamus to direct the respondents to reinstate him into service and to regularize his services.

At the time of admission, this Court granted interim direction to continue the petitioner into service on the same terms and conditions on which the other employees, who are juniors to the petitioner, are being continued, by order dated 26.02.1998.

Sri Mogalla Srinivas Rao appearing for Sri V. Ravi Kiran Rao for the petitioner submitted that the petitioner is being continued under the orders of this Court dated 26.02.1998 and that presently there is no threat of his discontinuance. As regards the regularization, it is now well settled by the Apex Court in **SECRETARY, STATE OF KARNATAKA v UMADEVI**[1] that unless any statutory provision or a scheme framed by the employer provides for regularization, a temporary employee or a daily wage worker or a casual labourer is not entitled to regularization as of right. In view of this settled legal position, the petitioner is not entitled to the relief of regularization.

In the result, the writ petition is disposed of. No costs.

This order does not preclude the petitioner from approaching the respondent to regularize his services if he is otherwise entitled in law.

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C.V.NAGARJUNA REDDY, J

Date: 05.04.2007
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[1] (2006) SC 1806